

1 HOWARD F. SILBER, ESQ. (State Bar #102888)

2 The Law Office of Howard F. Silber

3 9595 Wilshire Blvd. Suite 900

4 Beverly Hills, CA 90212

5 Phone: (310) 300-8440

6 Facsimile: (310) 300-8401

7 Attorney for Plaintiffs

8 **UNITED STATES DISTRICT COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 THE ESTATE OF DEREK BOOGAARD;)

11 by its Executor ROBERT NELSON; LEN)

12 BOOGARD Executor of the Estate and)

13 Special Administrator,; JOANNE)

14 BOOGARD an individual,)

15 Plaintiffs,)

16)

17 vs.)

18)

19 THE NATIONAL HOCKEY LEAGUE)

20 PLAYERS ASSOCIATION a business form)

21 unknown; and ROMAN STOYKEWYCH)

22 an individual; and DOES 1 through 50,)

23 inclusive,)

24)

25 Defendants.)

26 CASE NO: CV-12-09128 ODW (FFM)

27 **PLAINTIFFS' NOTICE OF APPOINTMENT OF LEN BOOGAARD AS SPECIAL ADMINISTRATOR OF THE ESTATE OF DEREK BOOGAARD IN CALIFORNIA**

28 PLEASE TAKE NOTICE that LEN BOOGAARD Executor of the Estate of DEREK BOOGAARD under the Will of DEREK BOOGAARD dated May 17, 2007 has been appointed Special Administrator of the Estate of DEREK BOOGAARD in California for the purpose of participating in this lawsuit and to file any others actions as may be deemed necessary. On the basis that ROBERT NELSON is resigning from his position as Executor of the Estate in Minnesota, it is requested of the Court that LEN BOOGAARD be substituted and/or joined as a party plaintiff in the Duty of Fair Representation cause of action in this suit. That a true and

1 correct copy of the Order of the Court so appointing LEN BOOGAARD as Special
2 Administrator in this State is attached hereto and the Court is requested to take Judicial Notice
3 thereof.

4
5 Dated: January 29, 2013

LAW OFFICES OF HOWARD F. SILBER

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7 By: /S/HOWARD F. SILBER
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9 HOWARD F. SILBER, Esq.
10 Attorneys for Plaintiffs
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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Howard Silber 102888 4607 Lakeview Canyon Rd #155 Westlake Village, CA 91361		TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles JAN 28 2013 John A. Clarke, Executive Officer/Clerk By <u>Lisa Howard</u> , Deputy Lisa Howard
ATTORNEY FOR (Name): ES DATE		SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 111 N HILL ST MAILING ADDRESS: LOS ANGELES, CA 90212 CITY AND ZIP CODE: CENTRAL BRANCH NAME:	
ESTATE OF (Name): DEREK BOOGAARD		DECEDENT	CASE NUMBER: BP 138905
ORDER FOR PROBATE ORDER <input type="checkbox"/> Executor APPOINTING <input type="checkbox"/> Administrator with Will Annexed <input type="checkbox"/> Administrator <input checked="" type="checkbox"/> Special Administrator <input type="checkbox"/> Order Authorizing Independent Administration of Estate <input type="checkbox"/> with full authority <input type="checkbox"/> with limited authority			

WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.

1. Date of hearing: 1-28-13 Time: 8:30 Dept./Room: 5 Judge: Beckloff

THE COURT FINDS

2. a. All notices required by law have been given.
- b. Decedent died on (date): 5-13-11
 - (1) a resident of the California county named above.
 - (2) a nonresident of California and left an estate in the county named above.
- c. Decedent died
 - (1) intestate
 - (2) testate

and decedent's will dated: _____ and each codicil dated: _____
was admitted to probate by Minute Order on (date): _____

THE COURT ORDERS

3. (Name): Len BOOGAARD is appointed personal representative:
 - a. executor of the decedent's will
 - b. administrator with will annexed
 - c. administrator
- d. special administrator
 - (1) with general powers
 - (2) with special powers as specified in Attachment 3d(2)
 - (3) without notice of hearing
 - (4) letters will expire on (date): Oct. 29, 2013
4. a. Full authority is granted to administer the estate under the Independent Administration of Estates Act.
- b. Limited authority is granted to administer the estate under the Independent Administration of Estates Act (there is no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
5. a. Bond is not required.
- b. Bond is fixed at: \$ _____ provided by law.
- c. Deposits of: \$ _____ (location): _____ to be furnished by an authorized surety company or as otherwise are ordered to be placed in a blocked account at (specify institution and location): _____ and receipts shall be filed. No withdrawals shall be made without a court order. Additional orders in Attachment 5c.
- d. The personal representative is not authorized to take possession of money or any other property without a specific court order.
6. (Name): _____ is appointed probate referee.

Date:

7. Number of pages attached: 1

JUDGE OF THE SUPERIOR COURT

 SIGNATURE FOLLOWS LAST ATTACHMENT

1 Attachment 3(d) 2

2 participate in pending litigation US District Ct. Case No
3 and possibly file new suit. 12-09128.

4 A status hearing is set for Oct. 29, 2013 at 8:30 in D.S.a

5 Dated: JAN 28 2013

6 MITCHELL L. BECKLOFF, Judge

7 PMS

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